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C O N F I D E N T I A L KINGSTON 000204

SIPDIS

STATE FOR OES/ENV (DAVID BROWN), WHA/CAR (BENT)

E.O. 12958: DECL: 01/31/2016

TAGS: [SENV](#) [ETRD](#) [ECON](#) [PREL](#) [PGOV](#) [JM](#)

SUBJECT: DEMARCHE DELIVERED: INTERNATIONAL CHEMICALS MANAGEMENT

REF: A.) STATE 11460 B.) MORGAN/BROWN 01/31 TELCON

Classified By: AMB BRENDA L. JOHNSON FOR REASONS 1.4 (B),(D).

¶1. (U) On January 31, Econoff delivered reftel talking points to Claudia Barnes, Director of the Economic Affairs Department of the Ministry of Foreign Affairs and Foreign Trade (MFAFT), Gillian Guthrie, Director of Projects and Enforcement at the Ministry of Land and Environment (MLE), and Gloria Gibbs, official at the Ministry of Health (MOH). (Note: Guthrie and Gibbs attended PrepCom 3, Barnes did not. End note.) GOJ responses are keyed to the issues raised in reftel.

¶2. (C) Conference Documents: The GOJ agreed that the bracketed text that arose from negotiations at SAICM PrepCom 3 in Vienna should be part of the baseline at the International Conference on Chemicals Management (ICCM) in Dubai on February 4-6. The GOJ asked for the USG position on the President's revisions that arose from the November meeting in Switzerland. Post provided clarifying information per information from ref. B.

¶3. (C) Precaution: While the GOJ interlocutors concurred that the formulation of the concept of precaution that arose in Rio Principle 15 is the standard, they asked into what areas the USG was concerned that precaution might be applied. Post responded with information from ref. B.

¶4. (C) Scope: While the GOJ noted that food, food additives, and pharmaceutical products were currently regulated under the Food and Drug Act in Jamaica, MLE's Guthrie stated that in areas where chemicals pose a risk to human health, limited resources could not be considered an obstacle. The GOJ understanding is that one of SAICM's roles is to &plug the gaps<sup>8</sup> left by other conventions on chemicals management, and insofar as gaps exist in the treatment of any category of product that involves chemicals, the GOJ is willing to consider addressing their management under SAICM.

¶5. (C) Savings Clause: The GOJ is still in the process of discussing this issue within their Attorney General's Office, and there is currently no firm position. Guthrie did state that it has been the GOJ position that any agreements reached in Dubai would not supercede any other agreements, nor should they &affect<sup>8</sup> the interpretation or application of international obligations.

¶6. (C) Global Plan of Action (GPA): The GOJ stated that the purpose of Dubai was to place the document up for adoption. They agreed in principle that the GPA was, in essence, a &working paper,<sup>8</sup> but asked what the USG proposed, if not adopting it in Dubai. Econoff explained that the USG position was simply that the GPA's status must be clarified, and that it would be inappropriate and premature to adopt it or recommend its use. Guthrie asked what the USG would propose for Dubai, and stated that if the USG did not intend to pursue the GPA in Dubai, that the governments of the developed countries should facilitate regional and sub-regional working groups to advance the document.

¶7. (C) GOJ officials were receptive to USG concerns, even when they could not indicate outright acceptance or agreement with our position. They expressed a strong desire to meet with the USG delegation in Dubai.

JOHNSON